



Minutes
Town of Atherton
CITY COUNCIL
ATHERTON CHANNEL DRAINAGE DISTRICT
September 21, 2011
7:00 p.m.
TOWN COUNCIL CHAMBERS
94 Ashfield Road
Atherton, California
REGULAR MEETING

The Mayor called the meeting to order at 7:00 p.m.

1. PLEDGE OF ALLEGIANCE

2. ROLL CALL Lewis, Dobbie, Widmer, McKeithen, Carlson

McKeithen was absent.

Mayor Dobbie announced that there is a need to take immediate action to reject all bids for the invitation to provide equipment and installation of a VoIP system, and that the need for action came to the attention of staff subsequent to the agenda being posted and too late to meet the 72-hour posting requirement.

Motion by Carlson, second by Lewis to add the item to the agenda. The motion passed unanimously. The item will be taken up under the regular agenda.

3 PRESENTATIONS

Introduction of David Gomez, Police Officer

Chief Flint said he hired reserve Officer David Gomez to the Atherton Police Department. Flint said Gomez was officially sworn in on his first day in the Chiefs office where half of the department and the Mayor were present.

Chief Flint said Gomez is from Longview, Oregon and played baseball and football. Gomez is currently in college where he studies Administration of Justice and is due to graduate in April of 2012. Gomez' family was present including his 3 daughters and his wife.

4. PUBLIC COMMENTS

Loren Gruner, Atherton resident, thanked the Library committee for all of their work on the library project. Gruner said she is concerned about the possibility of losing the current library site. Gruner suggested that the library be looked at in conjunction with the town center. Gruner concluded that it is very hard to find parking in the park as it is right now.

Rosemary Maulbetsch, Atherton resident, said she is concerned that the library committee is proposing a much larger facility than needed. Maulbetsch suggested that the library committee work together with the town center committee. She concluded that the Town is spread thin with the amount of employees it currently has.

Julie Quinlan, Atherton resident, thanked all the people who are involved in this project. She added that it makes a lot of sense to keep the town center and library together. Quinlan asked how anyone can site a library in the park when the little league is still in the planning process of a potential ballpark.

Jim Massey, Atherton resident, said Council is facing two major land use decisions that will affect Atherton forever. He urged caution and suggested spending time to get this right.

Colleen Anderson, Atherton resident, urged Council to look at the budget with a fine-tooth comb. Anderson said she combed through it and found erroneous charges for copy paper. Anderson concluded that she requested a copy of a tape for a police call she made and doesn't agree with the Town that it is not a disclosable record.

Bill Awbrey, Atherton resident, said he has a list of people who are opposed to the library in the park including past Mayors and Council Members.

Janet Simons, Atherton resident, said she has concerns with a library in the park because it will bring a lot of traffic.

Denise Kupperman, Atherton resident, said the Tree Committee partnered with the University of Berkeley to do a test throughout Atherton to map where we might find Sudden Oak Death.

5. **REPORT OUT OF CLOSED SESSION** - None

6. **CITY MANAGER'S REPORT**

Council member Lewis asked for an update on the Atherton Avenue project.

Public Works Director Mike Kashiwagi said the project is a water district project which should be done soon. Kashiwagi said he will get an exact update from the water district.

Vice Mayor Widmer thanked staff for the park walk-through punch list. Widmer requested a guesstimate on when the punch list items will be completed at the next meeting.

7. **COMMUNITY ORGANIZATION ROUNDTABLE REPORT** - None.

CONSENT CALENDAR (Items 8-16)

Council Member Carlson removed Item 16.

Vice Mayor Widmer had comments on Items 9 and 11. Widmer said he will recuse himself from Item 16 since he lives on Glenwood Ave.

Council Member Lewis removed Item 11.

8. **APPROVAL OF AUGUST 17, 2011 REGULAR MEETING**
Recommendation: Approve August 17, 2011 regular meeting minutes

9. **APPROVAL OF BILLS AND CLAIMS FOR AUGUST, 2011 IN THE AMOUNT OF \$1,127,281**
Recommendation: Approve Bills and Claims in the amount of \$1,127,281

10. **FINANCIAL REPORT FOR THE TWO MONTHS ENDED AUGUST 31, 2011**
Report: Finance Director Louise Ho
Recommendation: Receive the General Fund Financial Report for the two months ended August 31, 2011

12. **ACCEPTANCE OF WORK, AUTHORIZATION TO RECORD NOTICE OF COMPLETION**
Report: Public Works Director Mike Kashiwagi
Recommendation: Accept work and authorize recording of a notice of completion for the Police Department HVAC Project Number 56042

13. **PROCLAMATION DECLARING CONSTITUTION WEEK IN ATHERTON FROM SEPTEMBER 17 -23, 2011**
Recommendation: Approve Proclamation

14. **CONSIDERATION OF SUPPORT FOR THE LEAGUE OF CALIFORNIA CITIES LEGISLATIVE ACTIVITIES**
Report: Interim City Manager John Danielson
Recommendation: Authorize the Mayor to Respond to Requests from the League of California Cities for Legislative Advocacy as deemed appropriate

15. **RESOLUTION TO REJECT CLAIM OF CONSTANCE CRAWFORD**
Report: Deputy City Clerk Theresa DellaSanta
Recommendation: Adopt Resolution 11-xx denying the claim filed by J. William Dawson on behalf of his client Constance Crawford

MOTION by Lewis, second by Widmer to approve the consent calendar with the exception of Items 11 and 16. The motion passed.

Ayes: 4 Nays: 0 Abstain: 0 Absent: 1 (McKeithen)

Council took up the urgency item which they agreed to add to the agenda.

REJECT ALL BIDS FOR THE INVITATION TO PROVIDE EQUIPMENT AND INSTALLATION OF A VOIP SYSTEM

Recommendation: Reject all bids received in response to the invitation to bid to provide equipment and installation of a VoIP system and authorize staff to re-advertise the project after updating the bid document

MOTION by Widmer, second by Carlson to reject all bids received in response to the invitation to bid to provide equipment and installation of a VoIP system and authorize staff to re-advertise the project after updating the bid document. The motion passed.

Ayes: 4 Nays: 0 Abstain: 0 Absent: 1 (McKeithen)

11. TOWN RESPONSE TO CIVIL GRAND JURY REPORT ON AIRCRAFT NOISE

Report: City Manager John Danielson

Recommendation: Approve the response letter to the San Mateo County Civil Grand Jury regarding aircraft noise

Vice Mayor Widmer said there are an increasing number of early morning flights coming in shortly after 4:00 a.m. that make a fair amount of noise. Widmer said findings for activities up north and putting listening devices should be expanded to putting listening devices where all affected residents are. Widmer concluded that if airlines violate air traffic rules then they should be fined.

Council Member Lewis said she is the current member to the SFO Roundtable and attends the meetings. Lewis said she wants to be consulted on these things and felt that the response should be revised based on her knowledge.

Council agreed that staff should consult Council Member Lewis and agreed to revise the letter.

16. INSTALLATION OF TWO ADDITIONAL SPEED LIMIT SIGNS (25 MPH) IN EACH DIRECTION ON GLENWOOD AVENUE BETWEEN LAUREL AVE. AND MIDDLEFIELD ROAD

Report: Interim Public Works Director Mike Kashiwagi

Recommendation: The Atherton Transportation Committee recommends that Public Works staff be directed to install two additional speed limit signs in each direction along Glenwood Ave. between Laurel Ave. and Middlefield Rd

Vice Mayor Widmer recused himself because he lives within 500 feet of the subject matter.

Council Member Carlson asked what kind of a study accompanied this request.

Kashiwagi said the Transportation Committee received the request from a citizen. The Committee provided staff with this direction to bring it to Council for approval to disburse the money to install the speed limit signs.

Carlson asked if there were any speed surveys. Kashiwagi said there was no survey brought forth to the committee.

Mayor Dobbie said the general feeling of this item was that for such a small expense it would slow down the traffic making the street safer.

Carlson said there needs to be more structure where staff gives input into these items and follows up and measures whether they are effective.

Interim City Manager John Danielson said traffic enforcement is key and Chief Flint is making good progress.

Council Member Lewis said there are too many signs throughout the Town and one single resident should not be the driving force behind these items. Lewis felt enforcement is a better way to reduce speeds.

Danielson mentioned thermo-plastic lettering on the pavement as an alternative.

Loren Gruner, Colleen Anderson, Marie Zahn, and John Ruggeiro spoke under public comment.

Council Member Carlson asked what pavement lettering would cost. Danielson said it is comparable to the signs but believes it is more visible to drivers.

Council Member Carlson suggested tabling the item until the Transportation Committee can review alternatives.

MOTION by Dobbie, second by Carlson to table the item to a future agenda. The motion passed.

Ayes: 3 Nays: 0 Abstain: 1 (Widmer) Absent: 1 (McKeithen)

PUBLIC HEARINGS - (Item 17)

17. APPROVAL OF A RESOLUTION ADOPTING THE REVISED FISCAL YEAR 2011-12 OPERATING AND CAPITAL BUDGET

Report: Finance Director Louise Ho

Recommendation: Adopt Resolution 11-xx adopting the revised Fiscal Year 2011-2012 Operating and Capital Budget

Danielson noted that the revised budget is a result of the delayed budget due to the transitional period and tremendous financial hardship. Danielson said this is a status quo budget that moves the Town forward without a lot of changes other than the fact that there are substantial savings.

Danielson added that the recent changes in Building and Public Works have not solved all problems and this budget suggests that without more changes fund balance will need to be tapped. Danielson said approval of this budget will give him the opportunity to open up negotiations to discuss how to take the last step towards financial sustainability. Danielson concluded that there would be no more layoffs and the Town would be one of the few cities in California that will be financially stable.

Mayor Dobbie said it is very likely the Town will owe substantial amounts of money to Allied Waste and Recology towards the end of the year. Dobbie said the Town isn't sure how that will be paid yet.

Finance Director Louise Ho highlighted the general fund budget changes. For the General Fund, the revised budget reflects no salary increases for all personnel except step increases for represented Police Department personnel. The General Fund revised budget included salary savings from work force reductions, the cost of self-insured unemployment insurance, the outsourcing cost of building department and public works maintenance functions, the cost of improving information technology, and the estimated reduction in GASB 45 OPEB (retiree healthcare cost) annual required contribution (ARC). Ho noted that a revision to the project fund balance on page 10 of 85 was handed out by the City Clerk. Ho concluded that the Police Department has supplemental request that Council should consider.

Vice Mayor Widmer said he appreciated Ho's work. Widmer requested clarification on professional services and contract labor and how they fit in with outsourcing. Ho said contract labor is any position that staff would normally do such as interim positions. Professional services are considered services that aren't on a regular basis such as an audit or inventory.

Widmer asked why the benefits cost did not go down with the reduction in employees. Ho said the Town has employees they are carrying until retirement date and there was an increase for medical adjustments in 2012.

Widmer suggested that staff still sharpen the memberships and subscriptions dues. Widmer commented on the arborist services, tennis fund, and library fund.

Council member Carlson asked if the "projected actual" column means it hasn't been audited yet. Ho said they may change slightly based on audit adjustments next month but the projected numbers are very good numbers.

A discussion about the park events ensued.

Carlson said the amount of revenues for events was specifically reduced. Ho said that the park only has bookings through the end of the 2011 until Council makes a decision on park programs for the future, taking into consideration that the park is a potential site for the library. Carlson said a decision about park programs and events is a council decision and it should be discussed by the entire Council.

Council Member Lewis agreed that Council needs to be able to discuss the future of the park programs and events. Lewis said she is distressed that the environmental programs budget was slashed and she felt that it should be reinstated.

Loren Gruner, Atherton resident, said she didn't understand where the savings in outsourcing are because the salaries are still high.

Mayor Dobbie explained that the Town is seeing savings in the pensions and benefits.

Danielson added that this is not a full year budget so there isn't total savings yet and there are transitional costs where work still needs to be done. In subsequent years savings will become more apparent.

Denis Kupperman, Atherton resident, asked if MCE Corporation is required to provide medical benefits to their employees.

Danielson said medical was not a requirement from the Town.

Motion by Widmer, second by Dobbie to approve the budget but hold off on capital items until the Chief brings them forward.

Carlson asked why the condition of the capital items. Widmer said they were extra capital items that were added in the end. They should be bought when the new hires are brought on board and the Town actually needs the items.

Carlson asked what the Finance Committee thought of the capital items.

Danielson said the chief made a compelling argument for the items. The motorcycles and police cars are effectively spent and degrading. Danielson said he would prefer to “bite the bullet,” and begin to maintain them to the highest possible quality and optimize the trade-in value.

Council Member Lewis asked if they will be used right away or sit in the lot until we hire more officers.

Chief Flint said they are replacement vehicles which will be used right away.

MOTION by Dobbie, second by Carlson to approve Resolution adopting the revised Fiscal Year 2011-2012 Operating and Capital Budget. The motion passed.

Ayes: 3 Nays: 1 (Widmer) Abstain: 1 Absent: 1 (McKeithen)

REGULAR AGENDA – None

18. COUNCIL REPORTS

Council Member Lewis announced the Town Center Task Force community meeting that will be held in the Pavilion at the Park on Wednesday, October 12th from 6pm to 9pm. Lewis said two architects will be present to unveil their concept designs for a new town civic center.

19. FUTURE AGENDA ITEMS

City Manager Danielson requested the following three items:

1. Fee Study
2. Discussion of 2012 park programs events
3. Refuse and Recycling rate increase report

20. PUBLIC COMMENTS

Loren Gruner, Atherton resident, said it was a nice benefit that the Town had an arborist who was an expert and always answered any questions she had.

21. ADJOURN

MOTION by Carlson, second by Widmer to adjourn the meeting. The motion passed.

Mayor Dobbie adjourned the meeting at 8:35 p.m.

Respectfully submitted,

**Theresa DellaSanta
Deputy City Clerk**